

**REGULAR COUNCIL MEETING  
CITY OF WATERTOWN  
May 6, 2002  
7:00 P.M.**

**MAYOR JOSEPH M. BUTLER PRESIDING**

**PRESENT:**            **COUNCILWOMAN ROXANNE M. BURNS  
COUNCILMAN PETER L. CLOUGH  
COUNCILMAN PAUL A. SIMMONS  
COUNCILMAN JEFFREY M. SMITH  
MAYOR BUTLER**

**ALSO PRESENT:**   **CITY MANAGER JERRY C. HILLER  
ASSISTANT CITY MANAGER MARY M. CORRIVEAU  
CITY ATTORNEY ROBERT J. SLYE**

Assistant City Manager Corriveau presented the following reports to the Council:

- No. 1 - Reappointment to the Transportation Commission – Ralph Gilman
- No. 2 - Reappointment to the Transportation Commission – Sandie Combs
- No. 3 - Reappointment to the Transportation Commission - Owen Virkler
- No. 4 - Authorizing Sale of Real Property, Known As VL M3237-45 Pamela Avenue,  
Parcel No. M337-45
- No. 5 - Authorizing Sale of Real Property, Known As VL 227 Keyes Avenue, Parcel No.  
11-03-101.000
- No. 6 - Authorizing Sale of Real Property, Known As A Portion of 401 Mill Street,  
Parcel No. 2-01-332.002
- No. 7 - Authorizing Sale of Real Property, Known As VL 412 Tilden Street, Parcel No.  
4-03-215.000
- No. 8 - Authorizing Sale of Real Property, Known As VL 575 Water Street, Parcel No. 4-  
16-103.001
- No. 9 -Authorizing Gas Easement, 521 Newell Street
- No. 10 -Authorizing the Sale of Bicycles, Miscellaneous Items and Equipment at Public  
Auction
- No. 11 -Approving the Security Services Contract Between the City of Watertown, New  
York and the State of New York Unified Court System, Fiscal Year 2002-03
- No. 12 -Contract for Use of Buildings and Grounds, Faith Fellowship Church
- No. 13 -Contract for Use of Buildings and Grounds, Our Lady of the Sacred Heart Parish  
and the Missionaries of the Sacred Heart
- No. 14 -Approving Bid for Replacement of Thompson Park Pool Bath House Roof and  
Interior Renovations, Sands Brother Roofing Co., Inc.
- No. 15 -Approving Supplemental Agreement #3, Mass Transportation Capital Project  
Agreement, PIN 7797.05.303

- No. 16 -Authorizing Parking Lot Lease Agreement Between City of Watertown and Watertown Industrial Center Local Development Corporation
- No. 17 -Authorizing Payment In Lieu Of Tax Agreement, Stream International
- No. 18 -Approving Professional Services Agreement With Behan Planning Associates, LLC, for the Preparation of a NESNID Strategic Plan
- No. 19 -7:15 p.m. – Public Hearing 2002-03 through 2006-07 Capital Budget
- No. 20 -7:45 p.m. – Public Hearing 2002-03 Operating Budget
- No. 21 -8:00 p.m. – Public Hearing Adopting Local Law No. 6 of 2002, Amending Chapter 104 of the City Code of the City of Watertown Pertaining to Unsafe Buildings
- No. 22 -8:15 p.m. – Public Hearing –Special Assessments
- No.23 -8:30 p.m. – Public Hearing Authorizing Parking Lot Lease Agreement Between City of Watertown and Watertown Industrial Center Local Development Corporation
- No. 24 -Fence Regulations

### **COMPLETE REPORTS ON FILE IN THE OFFICE OF THE CITY CLERK**

Meeting opened with a moment of silence.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of April 15, 2002 and the adjourned meetings of April 22<sup>nd</sup> and 25<sup>th</sup> was dispensed with and accepted as written by motion of Councilwoman Burns, seconded by Councilman Clough and carried with all voting in favor thereof.

### **COMMUNICATIONS**

From James E. Brett, Chair of the Armed Forces Parade Committee, inviting Council to march in the parade to be held on Saturday, May 18<sup>th</sup> at 10 a.m.

### **ABOVE PLACED ON FILE**

From Jefferson, Lewis and St. Lawrence Counties Central Trades and Labor Council, AFL-CIO supporting CSEA and the Watertown Firefighters' Local and asking Council not to cut any jobs.

### **ABOVE PLACED ON FILE**

The following petitions for assessment review were received from:

1. Liberty Christian Center, Inc.
2. Carrols Corporation #400 and #401
3. Pepsi Cola Bottling Group

### **ABOVE PLACED ON FILE**

Claim against the City regarding a Zoning Board of Appeals determination was received from Michelle Paige.

### **ABOVE REFERRED TO THE BOARD OF AUDIT**

Mayor Butler proclaimed May as **Memorial Poppy Month** in the City of Watertown.

Mayor Butler proclaimed May 18<sup>th</sup> as **Armed Forces Day** in the City of Watertown.

### **PRIVILEGE OF THE FLOOR**

**Katherine Plante**, Water Street, addressed the chair concerning the fact that she was told by the City that she would have to register her vehicle with the City because she picks up trash for her tenants and her children. She explained what insurance coverage she has to have through the County and also explained that she derives no revenue from the trash hauling.

Attorney Slye will speak with the Codes Department about the interpretation of the law.

### **PUBLIC HEARINGS**

**AT 7:15 P.M. MAYOR BUTLER ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING TO CONSIDER THE PROPOSED CAPITAL BUDGET FOR THE CITY OF WATERTOWN FOR THE FISCAL YEAR 2002-03 THROUGH 2006-07.**

**MAYOR BUTLER DECLARED THE HEARING OPEN.**

No one spoke.

**MAYOR BUTLER DECLARED THE HEARING CLOSED.**

**AT 7:45 P.M. MAYOR BUTLER ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING TO CONSIDER THE PROPOSED OPERATING BUDGET FOR THE CITY OF WATERTOWN FOR THE FISCAL YEAR 2002-03.**

**MAYOR BUTLER DECLARED THE HEARING OPEN.**

**Brenda Harwood**, City's CSEA President, addressed the chair and presented a report to Council which listed questions concerning City practices and various departments and also contained suggestions for cost savings. Ms. Harwood questioned why if the City can't afford its employees, how can they continue to take on cost assistance for other agencies and organizations. Ms. Harwood presented a Budget Analysis on the City from

Darcy Micelli, Research Analyst for CSEA in which Ms. Micelli indicates that the City is currently stable and in good financial health.

**Dan Brady**, Local CSEA President, addressed the chair in support of the unions. He questioned the reasoning for cutting the positions in the Fire Department and the Purchasing Department. He stated that the Fire Department is an 82-person department and there is only one clerical person there. He stated he didn't understand the reasoning for that or the fact that in City Hall there are 150 people, but only one has been slated for the cut. Mr. Brady questioned if the reason these two positions were being targeted was because both individual are involved with CSEA. He explained that in 1991 CSEA lost 100 people with the cuts in the City. He stated street weren't plowed like they used to be and people started complaining that they weren't receiving the services as in the past. He also commented that if the City wasn't to attract businesses, they have to offer them something. He stated that people do not mind paying taxes if they get something in return. He then discussed the lack of substantial raises for City employees over the past five years and referred to recommendations from NYS Comptroller McCall who called for a 5% raise for government employees.

Mr. Brady began to address the chair concerning City and CSEA negotiations.

Attorney Slye reminded Mr. Brady that this public hearing was on the budget, not on union issues.

Mr. Brady apologized.

**MAYOR BUTLER DECLARED THE HEARING CLOSED AT 7:58 P.M.**

**AT 8:00P.M. MAYOR BUTLER ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING TO CONSIDER AMENDING CHAPTER 104 OF THE CITY CODE OF THE CITY OF WATERTOWN PERTAINING TO UNSAFE BUILDINGS.**

**MAYOR BUTLER DECLARED THE HEARING OPEN.**

**Howard Sprague**, Ives Street, addressed the chair asking what this local law will mean.

Attorney Slye explained that in the course of adopting the Property Maintenance Code, they came across inconsistency between the Code of the City of Watertown and the NYS General City Laws. These amendments ensure that the code complies with state law and also provides for a fair and equitable method for determining the need for the repair or removal of unsafe buildings or structures.

**MAYOR BUTLER DECLARED THE HEARING CLOSED AT 8:03 P.M.**

**AT 8:15 P.M. MAYOR BUTLER ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING TO PROVIDE THE PUBLIC WITH AN**

**OPPORTUNITY TO EXPRESS THEIR OPINIONS ABOUT THE CITY'S PLAN UNDER CITY CHARTER 93 TO ESTABLISH A SPECIAL ASSESSMENT AND WHAT PERCENTAGE OF THE EXPENSE ASSOCIATED WITH THE WORK WILL BE PAID BY THE CITY AND WHAT WILL BE PAID BY THE ADJOINING PROPERTY OWNER.**

**MAYOR BUTLER DECLARED THE HEARING OPEN.**

**George Marlette**, 520 Sherman Street, addressed the chair asking what this means.

Attorney Slye explained that this will allow a homeowner who has been advised by the City Engineer that the sidewalk needs replacement blocks to opt into a special assessment program whereby the costs will be put on the tax bill and paid back to the City over a period of 10 years. This cost will also included interest on the unpaid portion.

**Howard Sprague**, Ives Street, addressed the chair stating that while it sounds like a good plan, he questioned what would happen to the property owners who put in new sidewalks previously and they may not be to line and grade under City's regulations

Mr. O'Brien explained that if the property owner put them in where they were told to do so, they would not be required to replace because of line and grade, if they are in good shape.

**MAYOR BUTLER DECLARED THE HEARING CLOSED AT 8:25 P.M.**

**AT 8:30 P.M. MAYOR BUTLER ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING TO CONSIDER THE PROPOSED LEASE BY THE CITY WATERTOWN OF CERTAIN PARKING LOT SPACE TO THE WATERTOWN INDUSTRIAL CENTER LOCAL DEVELOPMENT CORPORATION.**

**MAYOR BUTLER DECLARED THE HEARING OPEN.**

No one spoke.

**MAYOR BUTLER DECLARED THE HEARING CLOSED.**

**R E S O L U T I O N S**

**INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

RESOLVED that the following individual is reappointed to the Transportation Commission for a three (3) year term commencing April 1, 2002 and expiring on April 1, 2005:

Ralph Gilman  
1620 Huntington Street

Huntington Heights, Apt. G-9  
Watertown, New York 13601

**SECONDED BY COUNCILMAN JEFFREY M. SMITH AND CARRIED WITH  
ALL VOTING YEA**

**INTRODUCED BY COUNCILMAN PAUL A. SIMMONS**

RESOLVED that the following individual is reappointed to the Transportation Commission for a three (3) year term commencing April 1, 2002 and expiring on April 1, 2005:

Sandie Combs  
600 Lillian Street, Apt. 3  
Watertown, New York 13601

**SECONDED BY COUNCILMAN PETER L. CLOUGH AND CARRIED WITH  
ALL VOTING YE**

**INTRODUCED BY COUNCILWOMAN ROXANNE M. BURNS**

RESOLVED that the following individual is reappointed to the Transportation Commission for a three (3) year term commencing April 1, 2002 and expiring on April 1, 2005:

Owen Virkler  
212 Barben Avenue  
Watertown, New York 13601

**SECONDED BY COUNCILMAN JEFFREY M. SMITH AND CARRIED WITH  
ALL VOTING YEA**

**INTRODUCED BY COUNCILMAN JEFFREY M. SMITH**

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as VL M337-45 Pamela Avenue, approximately .30 acres (15,010 sq. ft.) in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 1-13-349.001, and

WHEREAS title to said land has since been retained by the City of

Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$1,400.00 submitted by Daniel J. & Mary E. Kirby, for the purchase of Parcel No. 1-13-349.001 is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Daniel J. & Mary E. Kirby upon receipt of the above mentioned sum of money in cash only by the City Comptroller.

**SECONDED BY COUNCILMAN PETER L. CLOUGH AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCILMAN SIMMONS VOTING NAY**

Prior to the vote on the foregoing resolution, Councilman Simmons explained that he would have a problem supporting this resolution because it is below normal price per sq. ft. and when the City sold a previous parcel, Council made the purchaser pay the full amount per sq. ft.

Mrs. Corriveau explained that it is a residential property and the last one was commercial.

Councilman Simmons responded that it is zoned light industry.

Councilman Smith commented that it is located in a flood plane.

Councilwoman Burns remarked that she was not sure the Council could always stick to the policy price per sq. ft. She stated that the price should be used as a guideline. She also explained that this particular parcel is not going to be too appealing to many purchasers.

**INTRODUCED BY COUNCILMAN PAUL A. SIMMONS**

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as VL 227 Keyes Avenue, approximately 82' x 116' in size and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 11-03-101.000, and

WHEREAS title to said land has since been retained by the City of Watertown as

acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$4000.00 submitted by David L. & Lyndell M. Massey, for the purchase of Parcel No. 11-03-101.000 is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to David L. & Lyndell M. Massey upon receipt of the above mentioned sum of money in cash only by the City Comptroller.

**SECONDED BY COUNCILMAN JEFFREY M. SMITH**

Mayor Butler commented that he is concerned with the current policy on selling parcels. He explained that every now and then, there are parcels which Council feels have a valuable market price. He asked if this particular parcel was advertised so that the public was aware that it was up for sale. He questioned if \$4,000 was a fair market return.

Mrs. Corriveau explained that the only advertising that is made is at the Council meeting when the City Clerk reads the notice of interest in the property. If more than one adjacent property owner is interested, an auction is held in the Assessment Office.

Mayor Butler questioned if the residents in the neighborhood were notified.

Mrs. Corriveau stated that the adjacent property owners were notified.

Councilman Smith questioned if the City should put an ad in the paper, advising people of a property auction and also suggested having a minimum starting price.

Councilman Simmons questioned if these were the same individuals who put an offer on the property before and now waited until the City tore down the house.

Mr. Hiller stated that he believed it was the son of the individual.

Mayor Butler questioned if the City had checked the range of value for the lot.

Mrs. Corriveau stated that she is not sure that the City would have done that since they went by policy.



Mr. McCauley stated that the auction was held on January 3<sup>rd</sup> and at least two people bid on the parcel. He explained that once Mrs. Norfolk has a lot for sale, the first thing she does is to notify the adjacent property owners to see what interest there is in purchasing the parcel.

Councilman Simmons asked if this was voted down, if it would go back out to public auction.

Mr. McCauley explained that the City only gives a quitclaim deed which doesn't allow for clear title. Consequently, the value of the property would be a bit diminished.

Attorney Slye explained that the City took the property by tax sale. The City gives a quitclaim deed because they cannot cut off any taxes that might be due to the state or federal governments.

Councilman Simmons stated that he would have to support this sale as it falls under current policy. He stated that if individuals want to change the rules, it has to be done as a Council.

It was explained that the City took this property back from the individual because it wasn't brought up to code within the required time frame.

Council asked about the amount of unpaid taxes and demolition costs on the property. A history of the parcel will be prepared for Council's information.

**MOTION WAS MADE BY COUNCILMAN CLOUGH TO TABLE THE FOREGOING RESOLUTION.**

**MOTION WAS SECONDED BY COUNCILMAN SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

**INTRODUCED BY COUNCILMAN PAUL A. SIMMONS**

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as a portion of 401 Mill Street, approximately .35 acres in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 2-01-332.002, and

WHEREAS titles to said lands have since been retained by the City of Watertown as acquired at said tax sale, which titles were retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the

Council for a public use,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$3,911.00 submitted by AMPRIN, Inc., for the purchase of Parcel No. 2-01-332.002 is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to AMPRIN, Inc. upon receipt of the above mentioned sum of money in cash only by the City Comptroller.

**SECONDED BY COUNCILWOMAN ROXANNE M. BURNS AND CARRIED WITH ALL VOTING YEA**

**INTRODUCED BY COUNCILWOMAN ROXANNE M. BURNS**

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as VL 412 Tilden Street, approximately 50' x 100' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 4-03-215.000, and

WHEREAS titles to said lands have since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$750.00 submitted by Michael H. and Tina M. Romeo, for the purchase of Parcel No. 4-03-215.000 is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Michael H. and Tina M. Romeo upon receipt of the above mentioned sum of money in cash only by the City Comptroller.

**SECONDED BY COUNCILMAN PAUL A. SIMMONS AND CARRIED WITH ALL VOTING YEA**

**INTRODUCED BY COUNCILWOMAN ROXANNE M. BURNS**

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as VL 575 Water Street, approximately 99' x 165' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 4-16-103.001, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$300.00 submitted by Gregory J. Mahan, for the purchase of Parcel No. 4-16-103.001 is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Gregory J. Mahan upon receipt of the above mentioned sum of money in cash only by the City Comptroller.

**SECONDED BY MAYOR JOSEPH M. BUTLER AND DEFEATED WITH ALL VOTING NAY**

Commenting on the foregoing resolution, Councilman Simmons commented that he could not support this sale as it is below the \$.24 per sq. ft. price. Other members agreed.

**INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

WHEREAS it has been determined that the gas service lateral at 521 Newell Street is in need of replacement, and

WHEREAS Niagara Mohawk Power Corporation is requesting a right-of-way easement to lay, construct, operate and maintain said gas service lateral,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby authorizes and directs Mayor Joseph M. Butler to execute the Gas Easement Agreement on behalf of the City of Watertown, a copy of which is attached and made a part of this resolution.

**SECONDED BY COUNCILMAN PAUL A. SIMMONS AND CARRIED WITH ALL VOTING YEA**

**INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

WHEREAS the City of Watertown has acquired a number of abandoned bicycles, miscellaneous items and equipment, the listing of which is attached and made a part of this resolution, and

WHEREAS these bicycles, miscellaneous items and equipment have some value best determined by public auction,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that it hereby authorizes the sale, by auction, of abandoned bicycles, miscellaneous items and equipment, and to further declare all bids final and sales complete while said auction is conducted, and

BE IT FURTHER RESOLVED that final acceptance of such bids shall constitute acceptance of the same by the City Council.

**SECONDED BY COUNCILMAN JEFFREY M. SMITH AND CARRIED WITH ALL VOTING YEA**

**INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

WHEREAS the City of Watertown, New York is responsible for providing security services to the City Court located in the City Municipal Building, and

WHEREAS reimbursement for such security services is available to the City from the Unified Court System of the State of New York,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that it hereby approves the Security Services Contract between the City and the State of New York Unified Court System for Fiscal Year 2002-03, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that the City Manager, Jerry C. Hiller, is hereby authorized and directed to execute the Security Services Agreement on behalf of the City.

**SECONDED BY COUNCILWOMAN ROXANNE M. BURNS AND CARRIED  
WITH ALL VOTING YEA**

**INTRODUCED BY COUNCILMAN PAUL A. SIMMONS**

WHEREAS the City of Watertown desires to run a Summer Baseball Program within the City of Watertown, and

WHEREAS Faith Fellowship Church is willing to authorize the City to use its facilities for said purpose, and

WHEREAS there is no cost associated with the Agreement between the City of Watertown and Faith Fellowship Church, and

WHEREAS the City of Watertown deems the providing of a Summer Baseball Program to be a benefit to the citizens of the City,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Agreement between the City and Faith Fellowship Church, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that the City of Watertown hereby agrees to defend and indemnify Faith Fellowship Church from and against any and all claims for personal injury or property damage arising from the negligence of any of its officers or employees occurring in connection with the use of parish facilities in accordance with this Agreement, and

BE IT FURTHER RESOLVED that Mayor Joseph M. Butler is hereby authorized and directed to execute this Agreement on behalf of the City of Watertown.

**SECONDED BY COUNCILMAN PETER L. CLOUGH AND CARRIED WITH  
ALL VOTING YEA**

**INTRODUCED BY COUNCILMAN JEFFREY M. SMITH**

WHEREAS the City of Watertown desires to run a Summer Recreation and Playground Program within the City of Watertown, and

WHEREAS the Our Lady of the Sacred Heart Parish, the Missionaries of the Sacred Heart and the Roman Catholic Diocese of Ogdensburg are willing to authorize the City to use its facilities for said purpose, and

WHEREAS there is no cost associated with the Agreement between the City of Watertown, Our Lady of the Sacred Heart Parish, the Missionaries of the Sacred Heart and the Roman Catholic Diocese of Ogdensburg, and

WHEREAS the City of Watertown deems the providing of a Summer Recreation Program to be a benefit to the citizens of the City,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Agreement between the City, Our Lady of the Sacred Heart Parish, the Missionaries of the Sacred Heart and the Roman Catholic Diocese of Ogdensburg, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that the City of Watertown hereby agrees to defend and indemnify Our Lady of the Sacred Heart Parish, the Missionaries of the Sacred Heart and the Roman Catholic Diocese of Ogdensburg from and against any and all claims for personal injury or property damage arising from the negligence of any of its officers or employees occurring in connection with the use of parish facilities in accordance with this Agreement, and

BE IT FURTHER RESOLVED that Mayor Joseph M. Butler is hereby authorized and directed to execute the contract on behalf of the City of Watertown.

**SECONDED BY COUNCILMAN PETER L. CLOUGH AND CARRIED WITH ALL VOTING YEA**

**INTRODUCED BY COUNCILWOMAN ROXANNE M. BURNS**

WHEREAS the City Purchasing Department has advertised and received sealed bids for the replacement of Thompson Park bath house roof and interior renovations, and

WHEREAS invitations to bid were issued to eighteen (18) prospective bidders, with a total of ten (10) bids being received, and

WHEREAS on Tuesday, March 12, 2002, at 11:00 a.m., the bids received were publicly opened and read, and

WHEREAS City Engineer Norman Liu and Purchasing Agent Robert Cleaver reviewed the bids received and are recommending that the City Council accept the bid submitted by Sands Brother Roofing Co, Inc, Antwerp, NY, in the amount of \$29,500 as the lowest qualifying bidder meeting the City's specifications,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid submitted by Sands Brother Roofing Co., Inc. in the amount of \$29,500, for the replacement of the Thompson Park Bath House roof and interior renovations of the facility, as the lowest qualified bidder meeting the City's specifications.

**SECONDED BY COUNCILMAN JEFFREY M. SMITH AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCILMAN SIMMONS VOTING NAY**

Commenting on the foregoing resolution, Councilman Simmons asked if this could be put off one more year.

Mr. O'Brien, Civil Engineer I, explained that the recommendation to replace the roof was made by Bernier Carr in 1998. He stated that the building won't fall down but there may be damage to the supports.

Mr. Hayes explained that he looked at the building about a year ago and the supports structure was in sound shape but the roof had holes in it.

Councilman Clough questioned the low bid of \$18,500 not being accepted.

Mr. Hayes explained that Mr. Liu and Mr. Cleaver reviewed the bids and they eliminated this one. He explained that something was wrong with the bid when compared to the amounts for the other bids and the fact that they all came in much closer to one another. He stated that it might have been because the contractor might have missed something in the bid pricing or may not have submitted the proper documentation.

Mrs. Corriveau referred Council to Mr. Cleaver's memo which indicates that the reason the lowest bid was rejected was because the proper documentation was not submitted.

Councilman Simmons asked if there was someone on staff who could do this roof.

Mr. Hayes stated that they don't have any roofers or carpenters on staff.

Councilman Simmons suggested having the youth group "World Changers" do the work.

Attorney Slye explained that there are labor law implications. In addition, roofing companies have the highest workers' comp rates in the state and as a municipality, we require proof of insurance.

Mayor Butler commented that he did not want to imply that World Changers could do it, as he doesn't think they should nor would they be allowed to.

**INTRODUCED BY COUNCILMAN PAUL A. SIMMONS**

WHEREAS on October 5, 1998 the City Council of the City of Watertown authorized Staff to make application for Section 5311 Capital Assistance Grant in the amount of \$1,275,900 for the purchase of four (4) route buses, one (1) spare bus and two (2) paratransit vans for use by the CITIBUS System, and

WHEREAS funding has been received for the purchase of three (3) of the route buses and a spare engine, and

WHEREAS the State has notified the City that the additional funding is now available to purchase the remaining two (2) buses and another spare engine,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves Supplemental Schedule #3 to the Mass Transportation Capital Project Agreement, PIN 7797.05.303, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED the City's local match of \$43,000 is contained in the City of Watertown's Capital Program Budget, and

BE IT FURTHER RESOLVED that Mayor Joseph M. Butler is hereby authorized and directed to execute this Supplemental Schedule on behalf of the City of Watertown.

**SECONDED BY COUNCILWOMAN ROXANNE M. BURNS**

Council was advised that the City would not have any answer from Orion until the end of the week.

**MOTION WAS MADE BY COUNCILMAN CLOUGH TO TABLE THE FOREGOING RESOLUTION.**

**MOTION WAS SECONDED BY COUNCILMAN SMITH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

**INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

WHEREAS the City of Watertown owns and maintains certain parking facilities within the City of Watertown, and

WHEREAS the City has determined that a valid public purpose is served by leasing certain of these parking facilities to the Watertown Industrial Center Local Development Corporation, and

WHEREAS the City of Watertown and the Watertown Industrial Center Local Development Corporation have entered into an Agreement for the lease of said parking facilities,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Parking Lot Lease Agreement between the City of Watertown and the Watertown Industrial Center Local Development Corporation, a copy of which is attached and made a part of this resolution, and



BE IT FURTHER RESOLVED that Mayor Joseph M. Butler is hereby authorized and directed to execute said Lease on behalf of the City of Watertown.

**SECONDED BY COUNCILMAN PAUL A. SIMMONS AND CARRIED WITH ALL VOTING YEA**

**INTRODUCED BY COUNCILMAN PETER L. CLOUGH**

WHEREAS the Jefferson County Industrial Development Agency (JCIDA) has agreed to acquire a facility that consists of a portion of a building, and land known as City Center Plaza, and

WHEREAS the JCIDA will lease the facility to Stream International, and

WHEREAS pursuant to Section 874 (1) of Title 1 of Article 18-A of the General Municipal Law of the State of New York, JCIDA is exempt from the payment of taxes and assessments imposed upon real property, and

WHEREAS the JCIDA, Stream International and the Taxing Jurisdictions have agreed to enter into a fifteen (15) year PILOT Agreement on the leased facilities,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the PILOT Agreement by and among the Jefferson County Industrial Development Agency, Stream International, the County of Jefferson, the City of Watertown and the Watertown City School District, a copy of said PILOT Agreement is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that Mayor Joseph M. Butler is hereby authorized and directed to execute the PILOT Agreement on behalf of the City of Watertown.

**SECONDED BY COUNCILWOMAN ROXANNE M. BURNS AND CARRIED WITH ALL VOTING YEA**

Commenting on the foregoing resolution, Councilman Smith asked about the split of the \$20,000 between the City and the County.

Mrs. Corriveau explained that the split would be based on the number of spaces provided by the City and the County.

Mr. Hiller explained that the JCIDA would be in control of the reserve fund. They have indicated that they doubted if the monies would be used for parking lots. If at the end of the lease there are monies left in the reserve account, JCIDA would use the money to put into the property to offer it to another developer if Stream didn't continue.

**INTRODUCED BY COUNCILMAN PAUL A. SIMMONS**

WHEREAS the City of Watertown has been awarded a \$25,000 Technical Assistance CDBG Grant from the Governor's Office for Small Cities to prepare a strategic plan for the Near East Side Neighborhood Improvement District (NESNID), and

WHEREAS a Request for Proposals was issued with the request being sent to five (5) planning consultant firms, and

WHEREAS two (2) proposals were received, and

WHEREAS Behan Planning Associates, LLC was determined to be the most qualified firm to prepare a neighborhood plan and has submitted a proposal to complete the plan for \$31,000,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that it hereby approves the Professional Services Agreement with Behan Planning Associates, LLC, a copy of which is attached to and made part of this resolution, and

BE IT FURTHER RESOLVED that the City Manager, Jerry C. Hiller, is hereby authorized and directed to execute the Agreement on behalf of the City.

**SECONDED BY COUNCILMAN JEFFREY M. SMITH AND CARRIED WITH ALL VOTING YEA**

Commenting on the foregoing resolution, Councilman Clough asked about the local match.

Mrs. Corriveau explained that the expense and the revenue for this project are contained in the Planning Department budget. She also explained that the revenue would be from the transfer of funds from the Palmer St. UDAG to cover the City's share.

Councilman Clough asked if the Neighbors of Watertown would be reimbursing the City for the City's share.

Mr. Hiller stated that they would not since this particular project is for the entire NESNID area, not for just the area around Emerson Place.

Councilman Clough questioned why this was needed.

Mayor Butler commented that this is being partially funded by the state and will encompass properties in the entire NESNID area and will tie in with the State Street reconstruction project.

Mr. Hiller explained that this grant is being used as a critical leverage in obtaining the

larger grant for the Emerson St. project. He also explained that when the State Street reconstruction occurs in 2005, the engineers designing the street would use this study for information. He explained that the NESNID area is from Huntington Street to Boyd Street and from Public Square to Central Street.

Mr. Hiller explained that the monies in the Palmer Street fund can be used for this and are not city taxpayer dollars, but are federal tax dollars.

## **LOCAL LAWS**

**LOCAL LAW NO. 6 OF 2002 A LOCAL LAW AMENDING CHAPTER 104 OF THE CITY CODE OF THE CITY OF WATERTOWN PERTAINING TO UNSAFE BUILDINGS WAS PRESENTED TO COUNCIL** (Introduced on April 15, 2002; public hearing held this evening; appears in its entirety on page of the 2002 Minutes Book).

**AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING LOCAL LAW AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

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## **COUNCIL DISCUSSED THE FOLLOWING TOPICS:**

### **Trip to Austria**

Mayor Butler asked that Council give consideration to waiving the rules to allow the City to accept donations to offset the costs for him to travel to Austria to present support for the World Kayaking Championship to be held in Watertown in 2005. He explained that the Chamber and JCJDC have both offered to contribute \$500 each.

Attorney Slye explained that the City could receive money as a gift and then appropriate the money to send him to Austria.

Mayor Butler recused himself from the discussion.

Councilwoman Burns remarked that the donations from the Chamber and JCJDC make sense, as Mayor Butler would be promoting the area. However, she questioned individual donations.

The following resolution was offered

**INTRODUCED BY COUNCILMAN PAUL A. SIMMONS**

WHEREAS Mayor Joseph M. Butler will be traveling to Austria to present the City of Watertown's support to have the World Kayaking Championships held in our municipality in the year 2005,

And,

WHEREAS Mayor Butler will incur travel costs,

BE IT RESOLVED that the City is authorized to reimburse Mayor Butler's expenses up to \$1,500 upon the City receiving funds from donations.

**SECONDED BY COUNCILMAN CLOUGH**

Councilman Clough questioned the perception of individuals giving money to the Mayor.

Councilwoman Burns stated that she understands the purpose of the trip and she supports the Mayor. However, if the City is going to deviate from the policy, it needs to be discussed.

After much discussion, the following amendment was offered to the resolution.

**MOTION WAS MADE BY COUNCILMAN SMITH TO AMEND THE RESOLUTION TO READ "PRIVATE AND/OR BUSINESS CONTRIBUTIONS CAN NOT EXCEED \$75.00, MUST NOT BE ANONYMOUS DONATIONS AND ARE RESTRICTED TO THIS PURPOSE ONLY."**

**MOTION WAS SECONDED BY COUNCILMAN CLOUGH AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

**AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE RESOLUTION AS AMENDED AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.**

(Rules waived by motion of Councilman Clough, seconded by Councilman Smith and carried with all voting in favor thereof).

**Mullin/Holcomb Intersection**

Councilwoman Burns asked that the Police Chief take a look at this intersection as an area that could be targeted for the STEP program for speeding and aggressive driving.

Councilman Simmons asked if there was any strange configuration to this intersection to cause the number of accidents that occur there.

Mr. Hayes explained that the apartment building on the corner creates a blind spot and the volume of traffic is very heavy as well.

Mr. Hiller will check with Mr. Mix concerning a study that was previously done in that area.

Councilwoman Burns stated that this particular study did call for the reconfiguration of the Massey/Clinton intersection.

### **Bus Transfer Site**

Councilwoman Burns advised Council that the Downtown Development Board would like to have Council make a decision on the American Hotel site for a bus transfer location as soon as possible.

Mayor Butler advised Councilwoman Burns to have a resolution prepared for next Monday's meeting.

Councilman Simmons remarked that he would also support it.

### **Knickerbocker/Pop Warner**

Councilman Clough stated that he had received a call from Brian McAuliffe in regards to a new lock purchased by Pop Warner being broken off from a building at Knickerbocker which is used by Pop Warner. Councilman Clough explained that Mr. McAuliffe indicated that the City had broken it off. However, he didn't specify as to whether it was DPW crews or Recreation employees.

Mr. Hayes will get check into this.

### **Budget Session**

The next budget session will be held on Thursday, May 9<sup>th</sup> at 6 p.m.

### **EXECUTIVE SESSION**

**MOTION WAS MADE BY COUNCILWOMAN BURNS TO MOVE INTO EXECUTIVE SESSION TO DECIDE WHAT THE CITY WILL DO WITH THE FIRE PROPOSAL.**

**MOTION WAS SECONDED BY MAYOR BUTLER AND DEFEATED WITH COUNCILWOMAN BURNS AND MAYOR BUTLER VOTING YEA AND COUNCILMEN CLOUGH, SIMMONS AND SMITH VOTING NAY**

Commenting on the motion, Councilman Simmons questioned why this would have to be discussed in private, when the proposal has already been in the public.

Mr. Hiller explained that the discussion would have been on what the City's bargaining strategy would be.

Attorney Slye explained that the fact that the proposal has been public does not prevent Council from moving into Executive Session to discuss the City's strategies.

Councilman Clough remarked that the Council had discussed this openly before and he would have no qualms about publicly stating his views.

### **ADJOURNMENT**

**AT THE CALL OF THE CHAIR MEETING WAS DULY ADJOURNED AT 8:54 P.M. UNTIL MONDAY, MAY 13<sup>TH</sup> BY MOTION OF MAYOR BUTLER, SECONDED BY COUNCILWOMAN BURNS AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCILMAN SIMMONS VOTING NAY**

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Donna M. Dutton, City Clerk